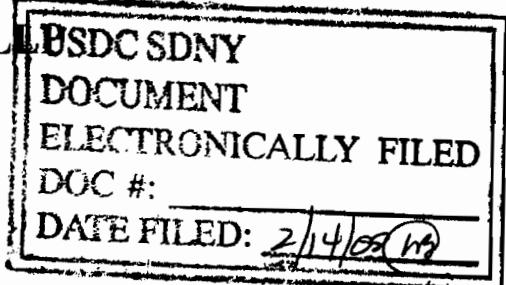


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New York, New York 10007
212-269-2363
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DATE: February 14, 2008

TO: Honorable Sidney Stein

AUSA Parvin Moyne

FAX NO.: 212-805-7924

212-637-2390

FROM: Brian Kaplan, Esq.

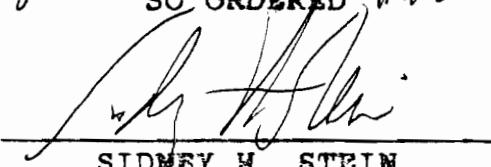
RE: USA v. Hernandez , 07 Cr. 1044 (SHS)

MESSAGE: As you are aware I represent the above referenced Defendant, Jose Hernandez. The matter is next scheduled for a conference tomorrow, February 15, 2008 at 2:30p.m. I am hereby requesting an adjournment for approximately one month. I just received partial discovery from the Government. There is a lot of material to review alone and with my client. I have spoken to AUSA Moyne and she is not opposed to my request. I am consenting to a waiver of speedy trial time on behalf of my client.

If you have any questions or concerns please contact me at your earliest convenience.

*2/14/08
convened to March 7 at 11:30 AM. Def at that time will not file the waiver to which the
motion he has. Time excluded from today until 3/7. The ends of justice attorney's interest of the
public + Mr. Hernandez in a speedy trial.*

SO ORDERED 2/14/08



Brian I. Kaplan, Esq.

SIDNEY H. STEIN
U.S.D.J.

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